

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA

v.

TAQUAN CLARKE

CAUSE NO.: 2:18-CR-21-9-TLS-APR

**ORDER**

This matter is before the Court on a Report and Recommendation [ECF No. 555], filed by Magistrate Judge Andrew P. Rodovich on November 3, 2020. On September 23, 2020, the Defendant filed a Motion to Suppress [ECF No. 527] in which he sought to suppress the information downloaded from a cell phone (Item 1B149) that was recovered during a search of the Defendant's apartment. The Government filed a Response [ECF No. 539], and the Defendant filed a Reply [ECF No. 545]. On October 13, 2020, this matter was referred to Judge Rodovich for a Report and Recommendation. *See* Oct. 13, 2020 Order, ECF No. 541. In the November 3, 2020 Report and Recommendation, Judge Rodovich recommends that the Court deny the Defendant's Motion to Suppress [ECF No. 527].

The Court's review of a Magistrate Judge's Report and Recommendation is governed by 28 U.S.C. § 636(b)(1)(C), which provides as follows:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

28 U.S.C. § 636(b)(1)(C); *see also* Fed. R. Crim. P. 59(b)(2) ("Within 14 days after being served with a copy of the recommended disposition, or at some other time the court sets, a party may

serve and file specific written objections to the proposed findings and recommendations.”).

Portions of a recommendation to which no party objects are reviewed for clear error. *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Judge Rodovich gave the parties notice that they had fourteen days to file objections to the Report and Recommendation. As of the date of this Order, neither party has filed an objection to Judge Rodovich’s Report and Recommendation, and the time to do so has passed. The Court has reviewed the Report and Recommendation and finds that the Magistrate Judge’s proposed disposition is well taken.

Therefore, the Court ACCEPTS, IN WHOLE, the Report and Recommendation [ECF No. 555] and DENIES the Defendant’s Motion to Suppress [ECF No. 527].

SO ORDERED on November 20, 2020.

s/ Theresa L. Springmann  
JUDGE THERESA L. SPRINGMANN  
UNITED STATES DISTRICT COURT